(4)

(2)

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

M.A.(C) No. 174 /2006

APPELLANTS : CLAIMENTS

1. Tota Ram, S/o Chhote Lal Vinodia, Aged about 45 yrs.
2. Rani W/o Tota Ram Vinodia, aged about 44 yrs.
3. Ravi Kant, S/o Tota Ram Vinodia, aged about 18 yrs.

All R/o Raja Talab, Raipur, Distt. Raipur(C.G.)

VERSUS

RESPONDENTS: NON-APPLICANTS

1. Budheshwer Prasad, S/o Balram Pandey, Permanent Address Vill. Kheda, P.S. Mungeli, Distt. Bilaspur (C.G.), Present Address By Govind Sahu S/o Kripa Ram Sahu, S/o Shastri Bazar,Raipur
2. Govind S/o Kripa Ram Sahu, R/o Shastri Bazar, Raipur
3. The Oriental Insurance Co. Ltd. By Divisional Manager Mandal No.1, Jail Road, Raipur, Distt. Raipur(C.G.)

P.R. No. 2401/06 Presented by Shri ... dated 22/9/06

Miscellaneous Appeal under Section 173 of the Motor Vehicle Act, 1994

(27)

HIGH COURT OF CHHATTISGARH: BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 174 OF 2006

Appellants: Tota Ram and others

Versus

Respondents: Budheshwer Prasad & Others.

(Arising out of Claim Case No. 15/2005)

31-01-2007

Shri S.C. Verma, counsel for the appellants.

None for respondents No. 1 & 2.

Shri. J.M.Gairola, Divisional Manager, the Oriental Insurance Company Limited with Shri B.D. Guru counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.1,00,000/- (Rupees One Lakh Only) to the appellants.
2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellants shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
6) Out of the above amount, Rs.1,000/- (Rupees One thousand Only) shall be paid to counsel for the appellants directly by respondent No.3 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Raju